

REMARKS

This Response is submitted in reply to the Office Action dated August 13, 2003. Claims 1 to 62 are pending in the patent application. Claim 55 has been amended for clarification purposes and not for any reasons of patentability. A Petition for a One-Month Extension to respond to the Office Action is submitted herewith. A check in the amount of \$110.00 is submitted herein to cover the cost of the one-month extension. Please charge Deposit Account No. 02-1818 for any insufficiency or to credit any overpayment.

Claim 1 to 3, 5, 12, 14, 15, 25 to 29, 40 to 44 and 55 to 58 were rejected under 35 USC §102(e) as being anticipated by US Publication No. 2002/0086725A1 to Fasbender et al. ("*Fasbender*"). Claim 16 was rejected under 35 USC §103(a) as being unpatentable over *Fasbender*. Claims 4, 6 to 11, 13, 17 to 24, 30 to 39, 45 to 54 and 59 to 62 were rejected under 35 USC §103(a) as being unpatentable over *Fasbender* in view of US Patent No. 5,775,692 due to Watts et al ("*Watts*"). Applicants respectfully disagree and traverse these rejections.

Regarding the rejection under § 102(e), Claim 1 is directed to a gaming device having a display device and a primary game adapted to be displayed by the display device. The primary game includes a set of reels having a plurality of primary symbols. A plurality of primary awards are associated with the primary symbols. The gaming device also includes a first secondary game adapted to be displayed by the display device which includes a set of reels having a plurality of secondary symbols where the secondary symbols include at least one different symbol than the primary symbols. The gaming device further includes a second secondary game adapted to be displayed by the display device. A plurality of secondary awards are associated with the secondary symbols in each of the secondary games. The secondary awards are different from the primary awards. A processor of the gaming device causes the display device to display the set of reels in the primary game and randomly determines the primary symbols indicated by the set of reels in the primary game. The processor provides any primary awards associated with the primary symbols indicated on the reels of the primary game. The processor causes the display device to replace the set of reels in the primary with the set of reels in the first secondary game when a first triggering event occurs in the

primary game. The processor randomly determines the secondary symbols indicated by the set of reels in the first secondary game and provides any secondary awards associated with the secondary symbols indicated on the reels. The processor causes the display device to replace the set of reels with the second secondary game when a second triggering event occurs in the first secondary game. The primary game does not include a triggering event which causes the processor to cause the display device to display the second secondary game. *Fasbender* does not disclose, teach or suggest such a combination of elements.

Fasbender is directed to a gaming device having a primary game and at least one bonus game where the player selects paylines in the primary game and initiates one or more bonus games when a designated symbol combination or certain symbols are located on the selected paylines. Regarding the secondary or bonus game, *Fasbender* states the following:

“ . . . one or more symbols 36 from the selected payline 35 in the primary game that qualified the player for the bonus round may be retained in bonus payline 38, while at least one symbol 36 from selected payline 35 is replaced through random generation, with another symbol from the predetermined set or from a “fresh” set of symbols 36, which preferably includes the same symbols 36 as the predetermined set.” (see paragraph 0037; see also Fig.'s 1 and 2).

As further explained in paragraph 0057 (which is referring to Fig. 9):

“ . . . at least one symbol 36” from the corresponding selected payline 35” of the primary game is replaced with a randomly selected replacement symbol 36R”. A player may be given the option to hold over one or more of the symbols 36” from the corresponding selected payline 35” . . . to the bonus payline 38”. (emphasis added)

The gaming device therefore examines each selected payline 35 in the primary or base game to determine if a trigger symbol 36T or other bonus round triggering event such as one or more predetermined symbol triggering combinations 36 have occurred. (See Fig. 2; paragraph 0036). If a bonus round is triggered, one or more of the symbols 36 from the selected payline 35 in the primary game that qualified the player for the bonus

round may be randomly replaced with other symbols, either from the same set of symbols used in the primary game or alternatively, from a different set of symbols. After any of the symbols are replaced, the gaming device examines the bonus payline to determine if a winning combination of symbols has occurred on the bonus payline. If so, the gaming device provides a bonus award to the player based on the winning combination of symbols on the bonus payline.

Fasbender therefore includes a bonus game where certain symbols indicated on the selected payline in the primary game, which triggered the bonus game, may be replaced in the bonus game. *Fasbender* does not disclose, teach or suggest replacing the entire set of reels from the primary game with a set of reels from one or more bonus games. *Fasbender* also does not disclose, teach or suggest replacing all of the symbols from the primary game with different symbols in one or more bonus games.

As described above, and contrary to Claim 1, *Fasbender* does not disclose, teach or suggest the claimed invention where a processor "causes the display device to replace the set of reels of the primary game with the set of reels in the first secondary game when a first triggering event occurs in the primary game" or a processor that "causes the display device to replace the set of reels in the first secondary game with the second secondary game when a second triggering event occurs in the first secondary game." For at least these reasons, Claim 1 and Claims 2 to 5, which depend from Claim 1, are each patentably distinguished over *Fasbender* and are in condition for allowance.

Claim 6 is directed to a gaming device including a base game, a first bonus game and a second bonus game. The base game includes a set of reels having a plurality of base game symbols. A plurality of base game awards are associated with those base game symbols. Additionally, the gaming device includes a first bonus game including a set of reels having a plurality of first bonus game symbols where the first bonus game symbols are different than the base game symbols and where there are less first bonus game symbols than base game symbols in the base game. This increases the likelihood that a player will obtain an award in the first bonus game. The gaming device also includes a plurality of bonus game awards associated with the bonus game symbols in each of the bonus games wherein the bonus game awards are different than

the base game awards. The gaming device further includes a display device and a processor in communication with the display device. The processor causes the display device to display the set of reels associated with the base game and randomly determines the displayed base game symbols on those reels. The processor provides any base game awards associated with the base game symbols indicated on the reels in the base game. The processor then causes the display device to replace those reels with the set of reels associated with the first bonus game when a first triggering event occurs in the base game. The processor randomly determines the displayed first bonus game symbols in the first bonus game and provides any bonus game awards associated with the first bonus game symbols indicated on the reels in the first bonus game. The processor causes the display device to replace the reels in the first bonus game with the second bonus game when a second triggering event occurs in the first bonus game. The base game does not include a triggering event which causes the processor to provide the second bonus game.

As described above, *Fasbender*, does not disclose, teach or suggest replacing the set of reels in a primary game with another set of reels associated with the same game or a different game such as a bonus game. Furthermore, *Fasbender* does not disclose, teach or suggest a processor that causes the display device to replace the set of reels in the first bonus game with a second bonus game when a second triggering event occurs in the first bonus game. For at least these reasons, Claim 6 and Claims 7 to 8 which depend from Claim 6, are each patentably distinguished over *Fasbender* and are in condition for allowance.

Claim 9 is directed to a gaming device including similar elements to Claim 1. For at least the reasons described above, Claim 9 and Claims 10 and 11, which depend from Claim 9 are each patentably distinguished over *Watts* and are in condition for allowance.

Claim 12 is directed to a method of operating a gaming device including the steps of displaying a primary game on the display device where the primary game includes a set of primary reels having a plurality of primary symbols. The method enables a player to play the primary game and provides any primary awards associated with the primary symbols indicated on the primary reels in the primary game to the

player. The method includes removing the primary reels from the display device and replacing the primary reels on the display device with a set of secondary reels of a secondary game when a first triggering event occurs in the primary game. The secondary reels in the first secondary game include a plurality of secondary symbols which are different from the primary symbols. The method enables a player to play the first secondary game on the display device that provides any secondary awards associated with the secondary symbols indicated on the secondary reels in the first secondary game wherein the secondary awards are different then the primary awards. The method includes removing the secondary reels from the display device and replacing the secondary reels on the display device in the first secondary game with a second secondary game when a second triggering event occurs in the first secondary game. The primary game does not include a triggering event which causes the activation of the second secondary game.

In addition to the above discussion regarding *Fasbender*, *Fasbender* does not disclose, teach or suggest this combination of elements, and specifically does not teach or suggest removing the primary reels on the display device and replacing the primary reels with secondary reels in a first secondary game upon a first triggering event in the primary game. Nor does *Fasbender* disclose, teach or suggest removing the secondary reels on the display device in a first secondary game and replacing the secondary reels with a second secondary game upon a second triggering event in the first secondary game. For at least these reasons, Claim 12 and Claims 13 to 16, which depend from Claim 12 are each patentably distinguished over *Fasbender* and are in condition for allowance.

Regarding Claim 17, Claim 17 includes similar elements to Claims 1, 6, 9 and 12. Therefore, for at least the reasons provided above, *Fasbender* does not disclose, teach or suggest the combination of all the elements of Claim 17. Therefore, Claim 17 and Claims 18 to 20, which depend from Claim 17, are each patentably distinguished over *Fasbender* and are in condition for allowance.

Regarding Claim 21, Claim 21 includes similar elements to Claims 1, 6, 9, 12 and 17. Therefore, for at least the reasons provided above, *Fasbender* does not disclose, teach or suggest the combination of all the elements of Claim 21. Therefore, Claim 21

and Claims 22 to 24, which depend from Claim 21, are each patentably distinguished over *Fasbender* and are in condition for allowance.

Amended Claim 55 includes certain similar elements to Claims 1, 6, 9, 12, 17 and 21. In particular, amended Claim 55 includes replacing the set of reels in the primary game with the set of reels in the first secondary game when a first triggering event occurs in the primary game. Amended Claim 55 also includes causing the display device to remove the set of reels in the first secondary game from the display device and replace the set of reels in the first secondary game with the second secondary game when a second triggering event occurs in the first secondary game. As described above, *Fasbender* does not disclose, teach or suggest replacing and/or removing the set of reels from the primary game with a set of reels in a secondary game or removing and replacing a set of reels from a first secondary game with a second secondary game. Therefore, amended Claim 55 and Claims 56-58, which depend from amended Claim 55, are each patentably distinguished over *Fasbender* and are in condition for allowance.

Claim 59 is directed to a gaming device having similar elements to Claim 55. Therefore, for at least the reasons provided above with respect to Claim 55, Claim 59 and Claims 60 to 62 which depend from claim 59, are each patentably distinguished over *Fasbender* and are in condition for allowance.

Claim 16 was rejected under § 103 as being unpatentable over *Fasbender*. Claim 16 was rejected under § 103(a). Claim 16 depends from Claim 12. Applicants respectfully submit that Claim 16 is allowable for at least the reasons set forth above with respect to Claim 12 because *Fasbender* does not disclose, teach or suggest the novel element of Claim 16 in combination with the novel elements of Claim 12. For these reasons, Claim 16 is patentably distinguished over *Fasbender* and is in condition for allowance.

Claims 4, 6 to 11, 13, 17 to 24, 30 to 39, 45 to 54 and 59 to 62 were rejected under § 103(a) as being unpatentable over *Fasbender* in view of *Watts*.

As described above, *Fasbender* does not disclose, teach or suggest all of the elements of the claimed invention. Additionally, *Watts* does not disclose, teach or suggest replacing any sets of reels with another set of reels. The reels 10 and 11 in

Watts are fixed reels and cannot be replaced. There is no suggestion or teaching in *Watts* that either sets of reels can be replaced. (See Fig. 1 of *Watts*) *Watts* also does not disclose, teach or suggest replacing the set of reels in the first secondary game or bonus game with a second secondary game or bonus game when a second triggering event occurs in the first secondary game or bonus game. Moreover, *Watts* does not disclose, teach or suggest any of these elements in combination with a triggering of a second secondary game through a first secondary game that is not triggered through the primary or base game. Therefore, the combination of *Fasbender* and *Watts* does not disclose, teach or suggest any of the elements described above.

Regarding the rejection of these claims, Claim 4 depends from Claim 1. Therefore, Applicants respectfully submit that Claim 4 is allowable for at least the reasons set forth above with respect to Claim 1 because the combination of *Fasbender* and *Watts* does not disclose, teach or suggest the novel element of Claim 4 in combination with the novel elements of Claim 1. For these reasons, Claim 4 is patentably distinguished over the combination of *Fasbender* and *Watts* and is in condition for allowance.

Claim 6 is directed to a gaming device comprising a base game including a set of reels having a plurality of base game symbols, a plurality of base game awards associated with the base game symbols and a first bonus game including a set of reels having a plurality of first bonus game symbols where the first bonus game symbols of the first bonus game are different than the base game symbols of the base game. Additionally, the plurality of first bonus game symbols in the first bonus game is less than the plurality of base game symbols in the base game. The gaming device also includes a second base game which includes a plurality of bonus game awards associated with the base game symbols in each of the bonus games, where the bonus game awards are different than the base game awards. The gaming device further includes a display device and a processor that is in communication with the display device.

The processor causes the display device to display the set of reels associated with the base game, randomly determines the displayed base game symbols, provides any base game awards associated with the base game symbols indicated on the reels

in the base game and causes the display device to replace the set of reels associated with the base game with the set of the reels associated with the first bonus game when a first triggering event occurs in the base game. The processor also randomly determines the displayed first bonus game symbols, provides any bonus game awards associated with the first bonus game symbols indicated on the reels in the first bonus game and causes the display device to replace the set of reels in the first bonus game with the second bonus game when a second triggering event occurs in the first bonus game where the base game does not include a triggering event which causes the processor to provide the second bonus game.

As described above, the combination of *Fasbender* and *Watts* does not disclose, teach or suggest these elements and, specifically, the combination does not disclose or suggest a processor that causes a display device to replace a set of reels in a base game with a set of reels in a bonus game when a triggering event occurs in the base game. Also, the combination does not disclose a processor that causes the display device to replace the set of reels in the first bonus game with a second bonus game when a second triggering event occurs in the first bonus game. For at least these reasons, Claim 6 and Claims 7 and 8, which depend from Claim 6, are each patentably distinguished over the combination of *Fasbender* and *Watts* and are in condition for allowance.

Claim 9 is directed to a gaming device including a primary game, a set of primary reels in the primary game including a plurality of primary symbols, a set of primary reels in the primary game including a plurality of primary symbols, a plurality of primary awards associated with the primary symbols, a first secondary game and a set of secondary reels in the first secondary game including a plurality of secondary symbols. The secondary symbols of the first secondary game are different than the primary symbols and the plurality of secondary symbols of the first secondary game is less than the plurality of primary symbols of the primary game. The gaming device also includes a second secondary game and a plurality of secondary awards associated with the secondary symbols in each of the secondary games, where the secondary awards are different than the primary awards. The gaming device further includes a display device and a processor. The processor is in communication with the display device.

Specifically the processor randomly determines the primary symbols indicated by the primary reels, provides any primary awards associated with the primary symbols indicated on the reels in the primary game and causes the display device to replace the primary reels with the secondary reels when a first triggering event occurs on the primary reels. In the secondary game, the processor randomly determines the secondary symbols indicated by the secondary reels, provides any secondary awards associated with the secondary symbols indicated on the reels in the first secondary game and replaces the secondary reels in the first secondary game with the second secondary game when a second triggering event occurs on the secondary reels in the first secondary game, where the primary game does not include a first triggering event which causes the processor to provide the second secondary game.

As described above, the combination of *Fasbender* and *Watts* does not disclose, teach or suggest these elements. For at least these reasons, Claim 9 and Claims 10 and 11, which depend from Claim 9, are each patentably distinguished from the combination of *Fasbender* and *Watts* and are in condition for allowance.

Claim 13 depends from Claim 12. Applicants respectfully submit that Claim 13 is allowable for at least the reasons set forth above with respect to Claim 12 because the combination of *Fasbender* and *Watts* does not disclose, teach or suggest the novel element of Claim 13 in combination with the novel elements of Claim 12. For these reasons, Claim 13 is patentably distinguished over the combination of *Fasbender* and *Watts* and is in condition for allowance.

Claim 17 is directed to a method for operating a gaming device, where the method includes the steps of displaying a base game and a display device where the base game includes a set of reels having a plurality of base game symbols, enabling a player to play the base game and providing any base game awards associated with the base game symbols indicated on the reels in the base game. The next step includes removing the base game from the display device and replacing the base game on the display device with a first bonus game when a first triggering event occurs in the base game, where the first bonus game includes a set of reels having a plurality of first bonus game symbols, and where the first bonus game symbols of the first bonus game are different than the base game symbols of the base game. Also, the plurality of first

bonus game symbols in the first bonus game is less than the plurality of base game symbols in the base game. Next, the gaming device enables a player to play the first bonus game and provides any bonus game awards associated with the first bonus game symbols indicated on the reels in the first bonus game, where the bonus game awards are different than the base game awards. The next step includes removing the first bonus game from the display device and replacing the first bonus game with a second bonus game when a second triggering event occurs in the first bonus game, where the base game does not include a triggering event which causes activation of the second bonus game.

As described above, the combination of *Fasbender* and *Watts* does not disclose, teach or suggest the elements of Claim 17 and, specifically, does not teach or suggest removing the base game from the display device and replacing the base game with a first bonus game when a first triggering event occurs in the base game and removing the first bonus game from the display device and replacing the first bonus game with a second bonus game when a second triggering event occurs in the first bonus game, where the base game does not include a triggering event which causes activation of the second bonus game.

For at least these reasons, Claim 17 and Claims 18 to 20, which depend from Claim 17, are each patentably distinguished over the combination of *Fasbender* and *Watts* and are in condition for allowance.

Claim 21 is also directed to a method for operating a gaming device and includes the steps of displaying on a display device a primary game including a set of primary reels having a plurality of primary symbols, enabling a player to play the primary game, providing any primary awards associated with the primary symbols indicated on the primary reels in the primary game to a player and removing the primary game from the display device and replacing the primary game with a first secondary game when a first triggering event occurs on the primary reels. The secondary game includes a set of secondary reels having a plurality of secondary symbols where the secondary symbols of the first secondary game are different than the primary symbols and the plurality of secondary symbols of the first secondary game is less than the plurality of primary symbols of the primary game. The next step includes enabling a player to play the first

secondary game and providing any secondary awards associated with the secondary symbols indicated on the secondary reels in the first secondary game where the secondary awards are different than the primary awards. Next, the method includes the step of removing the first secondary game from the display device and replacing the first secondary game with a second secondary game when a second triggering event occurs on the secondary reels in the first secondary game. The primary game does not include a triggering event which causes activation of the second secondary game.

For the same reasons provided above with respect to Claim 17, the combination of *Fasbender* and *Watts* does not disclose, teach or suggest the elements of Claim 21. Therefore, Claim 21 and Claims 22 to 24, which depend from Claim 21, are each patentably distinguished from the combination of *Fasbender* and *Watts* and are in condition for allowance.

Claims 30 and 34 and Claims 35 to 39 depend from independent Claims 6 and 9, respectively. Applicants therefore respectfully submit that Claims 30 to 34 and Claims 35 to 39 are allowable for at least the reasons set forth above with respect to Claims 6 and 9 because the combination of *Fasbender* and *Watts* does not disclose, teach or suggest the novel elements of Claim 30 to 34 and 35 to 39 in combination with the novel elements of Claims 6 and 9, respectively. For at least these reasons, Claims 30 to 34 and 35 to 39 are each patentably distinguished over the combination of *Fasbender* and *Watts* and are in condition for allowance.

Claims 45 to 49 and Claims 50 to 54 depend from Claims 17 and 21, respectively. Applicants therefore respectfully submit that Claims 45 to 49 and Claims 50 to 54 are allowable for at the reasons set forth above with respect to Claims 17 and 21 because the combination of *Fasbender* and *Watts* does not disclose, teach or suggest the novel elements of Claims 45 to 49 and 50 to 54 in combination with the novel elements of Claims 17 and 21, respectively. For at least these reasons, Claims 45 to 49 and Claims 50 to 54 are each patentably distinguished over the combination of *Fasbender* and *Watts* and are in condition for allowance.

Claim 59 is directed to a gaming device that includes a base game including a set of reels having a plurality of base game symbols, a probability of obtaining a winning combination of base game symbols associated with each winning combination of the

base game symbols, a first bonus game including a set of reels having a plurality of bonus game symbols where the bonus game symbols of the first bonus game are different than the base game symbols of the base game and where the plurality of bonus game symbols in the first bonus game is less than the plurality of base game symbols in the base game. The gaming device also includes a second bonus game, a probability of obtaining a winning combination of bonus game symbols associated with each winning combination of the bonus game symbols where the probabilities associated with the winning combinations of the bonus game symbols are different than the probabilities associated with the winning combinations of the base game symbols, a display device and a processor. The processor is in communication with the display device and causes the display device to display the set of reels associated with the base game, randomly determines a winning combination of the base game symbols based on the probabilities associated with the winning combinations of base game symbols and causes the display device to remove the set of reels associated with the base game and replace the set of reels associated with the base game with the set of the reels associated with the first bonus game when a first triggering event occurs in the base game. The processor also randomly determines a winning combination of bonus game symbols in the first bonus game based on the probabilities associated with the winning combinations of the bonus game symbols and provides the second bonus game to the player when a second triggering event occurs in the first bonus game, where the base game does not include a triggering event which causes the processor to provide the second bonus game.

As described above, the combination of *Fasbender* and *Watts* does not disclose, teach or suggest the elements of Claim 59. Therefore, Claim 59 and Claims 60 to 62, which depend from Claim 59, are each patentably distinguished over the combination of *Fasbender* and *Watts* and are in condition for allowance.

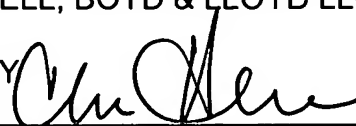
Accordingly, Claims 4, 6 to 11, 13, 17 to 24, 30 to 39, 45 to 54 and 59 to 62 are each patentably distinguished over the combination of *Fasbender* and *Watts* and are in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicants respectfully request that the Patent Office contact the undersigned Attorney.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY

A handwritten signature in black ink, appearing to read "Chris Hermanson", written over a horizontal line.

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